

August 12, 2013

**OFFICE OF THE HEARING EXAMINER  
KING COUNTY, WASHINGTON**  
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**ORDER OF DISMISSAL**

SUBJECT: Department of Natural Resources and Parks File No. **7113-03**

**SEATTLE BARREL COMPANY**  
Wastewater Discharge Penalty Appeal

Location: 4716 Airport Way S, Seattle

Appellant: Seattle Barrel Company  
*represented by* **Louie Sanft**  
4716 Airport Way S  
Seattle, WA 98108  
Telephone: (206) 622-7218

King County: Department of Natural Resources and Parks  
*represented by* **William Blakney**  
King County Courthouse  
516 Third Avenue Room W400  
Seattle, WA 98104  
Telephone: (206) 296-9015  
Email: [william.blakney@kingcounty.gov](mailto:william.blakney@kingcounty.gov)

The parties having settled this matter, the above-referenced appeal is moot. The appeal is accordingly DISMISSED, the examiner's jurisdiction over the matter terminated, and the pre-hearing conference scheduled for August 21, 2013 is cancelled.

DATED August 12, 2013.

  
\_\_\_\_\_  
David W. Spohr  
Interim Deputy Hearing Examiner

**NOTICE OF RIGHT TO APPEAL**

The examiner's summary dismissal order shall be final and conclusive unless proceedings for review of the decision are properly commenced in Superior Court within 21 days of issuance of the Examiner's decision. (The Land Use Petition Act defines the date on which a land use final order or decision is issued by the Hearing Examiner as three days after the written document is mailed.)

DWS/vsm

OFFICE OF THE KING COUNTY HEARING EXAMINER

In the Matter of  
Seattle Barrel Company

No. 7113-03

STIPULATION AND AGREED  
ORDER OF DISMISSAL

**I. STIPULATION**

The Appellant, Seattle Barrel Company, by its representative, Louie Sanft, and Respondent, King County, through the Wastewater Treatment Division of its Department of Natural Resources, by its attorney, William E. Blakney, agree and stipulate to the following:

1. Seattle Barrel Company filed an appeal with the Office of the King County Hearing Examiner on April 5, 2013. The appeal was entitled as follows: "Appeal of letter and decision named Final Decision Seattle Barrel Company February 10, 2013, Request for Reconsideration, dated March 20, 2013, with request to King County Hearing Examiner to vacate and dismiss notice of violation dated Nov. 27, 2013".

2. Subsequent to the filing of the appeal, Seattle Barrel Company and King County, through its Industrial Waste Pretreatment Program, have engaged in extensive negotiations intended to resolve the subject of the appeal.

1           3.       The parties have successfully negotiated a resolution of the issues that are the  
2 subject of the appeal. They have agreed that Seattle Barrel Company will pay the monetary  
3 amounts identified in the Assessment of Penalty and Compliance Order dated January 28, 2013  
4 and have also agreed to the language that will be published in the newspaper regarding this  
5 matter (see below). Finally, they have agreed that this matter be dismissed.

6 **Fined:**

7 **Seattle Barrel Company, Seattle**

8 PERMIT VIOLATIONS: A single incident  
9 occurred during a routine KCIW sampling  
10 when an employee was observed manually  
bypassing the final stage of the wastewater  
treatment system and associated discharge of  
concentrated wastes that did not meet  
permitted discharge to the sanitary sewer.

RESULTING ACTIONS: Facility  
received a \$1,575 fine, \$3,490 post-  
violation charge and a compliance order.  
The company independently provided  
additional waste management training to  
its employees and completed items  
required in the compliance order.

11           4.       Copies of all correspondence between the parties related to the Stipulation and  
12 Agreed Order of Dismissal shall be sent to the following persons:

13                   Seattle Barrel Company:

14                   Louie Sanft  
15                   4716 Airport Way South  
16                   Seattle, WA 98108

17                   King County:

18                   Arnaud Girard  
19                   King County Wastewater Treatment Division  
20                   Industrial Waste Program  
21                   130 Nickerson Street, Suite 200  
22                   Seattle, WA 98109  
23

Seattle Barrel Company:

By: LOUIE SANF.  
Its: General Manager  
Date: 8/1/13

KING COUNTY DEPARTMENT OF  
NATURAL RESOURCES, WASTEWATER  
TREATMENT DIVISION

By: [Signature]  
Its: DIRECTOR  
Date: 23 July 2013

Approved as to form:

William E. Blakney  
William E. Blakney  
King County Prosecutor's Office  
WSBA #16734

II. ORDER

This matter having come on for hearing upon the foregoing Stipulation and Agreed Order of Dismissal, it is hereby ordered that this appeal is dismissed with prejudice and without costs in accordance with the terms and conditions of the Stipulation and Agreed Order of Dismissal.

DATED this 12<sup>th</sup> day of August, 2013.

KING COUNTY OFFICE  
OF THE HEARING EXAMINER

By: [Signature]  
King County Hearing Examiner

TRANSMITTED this 12<sup>th</sup> day of August, 2013, to the persons identified in the foregoing Stipulation and Agreed Order of Dismissal.